

REMARKS**Amendments to the Claims**

Claims 1 and 25 have been amended to delete non-elected subject matter. The proviso limitation and the definition of R₇, which become now unnecessary due to this deletion of non-elected subject matter, have been removed from Claims 1 and 25. Claims 1 and 25 have been further amended to recite lists of substituents for Ring A, aliphatic, non-aromatic heterocyclic or aryl carbon atoms, substituents for nitrogen atoms on Ring A, and substituents for heteroaryl ring nitrogen atoms. Support for the lists of these substituents can be found in the specification, for example, at page 7, line 24 through page 8, line 25.

Claim 4 has been amended to delete non-elected subject matter and rewritten into an independent claim, reciting all of the limitations of Claim 1, as currently amended. Claim 4 has been further amended to delete the term "preferably" from the claim.

Claim 6 has been amended to correct dependency.

Claim 7 has been amended to recite substituents for Rings D-T. Support for the recited substituents can be found in the specification, for example, at page 9, lines 3-10.

Claims 8-10 have been amended to make the claimed invention more clear.

Claim 13 has been amended to recite Compounds (I-4), (I-5), (I-6) and (I-7) and their structural formulas. Support for this amendment can be found in the specification, for example, in Table 1 at pages 28 through 29.

No new matter has been added.

Claim Rejections under 35 U.S.C. §112

Claims 1-14 and 25-28 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner stated that the terms "substituted" and "preferably," and the phrase "Ring A substituent" for R₆ are indefinite. Also, the Examiner stated that the phrase "Compounds (I-1) through (I-14)" in Claim 12 without their structural formulas is indefinite.

As discussed above, Claims 1 and 25 have been amended to recite specific substituents for Ring A, aliphatic, non-aromatic heterocyclic or aryl carbon atoms, substituents for nitrogen

atoms on Ring A, and substituents for heteroaryl ring nitrogen atoms. Also, as amended, Claims 1 and 25 recite "each R₆ is independently -H or a substituent for a Ring A carbon atom" and specific substituents for Ring A. A list of substituents for Rings D-T is recited in Claim 7, as currently amended. Claim 13 has been amended to recite structural formulas of currently-recited Compounds (I-4) - (I-7). The term "preferably" has been deleted from Claim 4. As such, Claims 1-14 and 25-28, as currently amended, meet the requirements of 35 U.S.C. § 112, second paragraph. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw these rejections.

Restriction Requirement: Rejoining of Claims 15 and 16

Claims 15 and 16 have been restricted out from the application. Claim 15 is directed to pharmaceutical compositions comprising at least one compound according to Claim 1 and one or more additional therapeutic agents. Claim 16 depends from Claim 15 and recites specific examples of the additional therapeutic agents. Despite Applicants' traversal of this restriction requirement, the Examiner made it final.

Applicants respectfully re-request that the Examiner reconsider and rejoin Claims 15 and 16 into the application. As discussed above, the subject matter of Claim 1, as currently amended, is allowable, meeting the requirements of 35 U.S.C. §§§§ 101, 102, 103 and 112. Thus, the subject matter of Claims 15 and 16, reciting compounds of Claim 1, should also be allowable regardless of the additionally-recited limitation therein, i.e., additional therapeutic agents. In addition, Claims 15 and 16 depend from Claim 14, the subject matter of which is allowable. As such, Claims 15 and 16 should also be allowable, and neither an additional search nor additional examination is required for rejoining Claims 15 and 16 into the application.

CONCLUSION

In view of the above amendments and remarks, it is believed that all pending claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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